

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Keith Johnson

Serial No.: 09/662,195

Art Unit: 1616

Filed: September 14, 2000

Examiner: S. Gollamudi

For: APPLICATION OR WATER NANOCCLUSERS TO SKIN

**RESPONSE TO OFFICE ACTION**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Responsive to the Office Action dated August 12, 2002,  
Applicant requests consideration of the following Remarks:

**REMARKS**

Attached hereto is a Request for Continued Examination (RCE) Request under 37 C.F.R. 1.114 and the associated \$375 fee. The patent owner has previously submitted a claim for Small Entity Status and reasserts its entitlement thereto.

Also attached hereto is an Information Disclosure Statement By Applicant (IDS) and the associated \$180 fee. The references in the IDS are those which were noted in the International Search Report (also attached) in the PCT application (PCT/US 01 /28775) corresponding to the above-identified application.

Applicant notes that the previous rejections, based in part upon the Lorenzen (U.S. Patent No. 5,711,950) and Lefebvre (U.S. Patent No. 4,165,385) references, have not been re-asserted. Applicant acknowledges with appreciation the Examiner's statement that the arguments with regard to these references are now moot and accordingly, will not indicate additional points of the distinction or comment upon the Examiner further characterization thereof, in the Response to Arguments section of the Office Action.

The outstanding Office Action indicates that Claims 1-3, 6-11 and 15-26 (all of the pending claims) are rejected under 35 USC 103(a) as being unpatentable over EP 0916621 in view of Johnson et al, U.S. Patent No. 5,800,576 ("Johnson et al."). Applicant respectfully traverses this rejection, for the reasons set forth below.